

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**BENJAMIN F. CHAVEZ,**

**Petitioner,**

**vs.**

**Civ. No. 18-876 JCH/JFR**

**UNITED STATES OF AMERICA,**

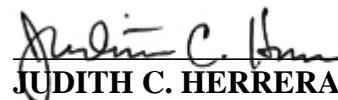
**Respondent.**

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS  
AND RECOMMENDED DISPOSITION**

**THIS MATTER** is before the Court on the Proposed Findings of Fact and Recommended Disposition by United States Magistrate Judge John F. Robbenhaar, filed October 16, 2019. Doc. 14. Objections were due by no later than November 5, 2019. The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *U.S. v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10<sup>th</sup> Cir. 1996).

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 14) are **ADOPTED**.

**IT IS FURTHER ORDERED** that Petitioner's Motion to Vacate under 28 U.S.C. § 2255 (Doc. 1) is **DENIED**, for the reasons set forth in the Proposed Findings and Recommended Disposition.

  
**JUDITH C. HERRERA**  
United States District Judge